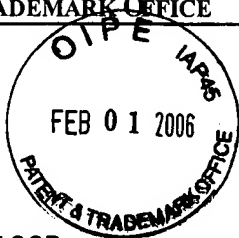




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AUG 22 2005

OFFICE OF PETITIONS

In re Application of :
John H. Kenten et al :
Application No. 09/880,149 : DECISION GRANTING PETITION
Filed: June 14, 2001 : UNDER 37 CFR 1.313(c)(2)
Attorney Docket No. 2757-5 :

This is a decision on the petition, filed August 19, 2005, under 37 CFR 1.313(c)(2) to withdraw the above-identified application from issue after payment of the issue fee.


The petition is GRANTED.

The above-identified application is withdrawn from issue for consideration of a submission under 37 CFR 1.114 (request for continued examination). See 37 CFR 1.313(c)(2).

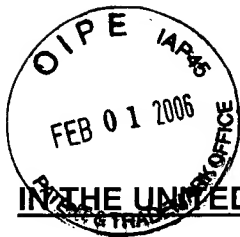
Petitioner is advised that the issue fee paid on July 28, 2005 in the above-identified application cannot be refunded. If, however, the above-identified application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.¹

Telephone inquiries should be directed to the undersigned at (571) 272-3218.

This matter is being referred to Technology Center AU 1648 for processing of the request for continued examination under 37 CFR 1.114 and for consideration of the Information Disclosure Statement.


Frances Hicks
Petitions Examiner
Office of Petitions

¹ The request to apply the issue fee to the new Notice may be satisfied by completing and returning the new Issue Fee Transmittal Form PTOL-85(b), which includes the following language thereon: "Commissioner for Patents is requested to apply the Issue Fee and Publication Fee (if any) or re-apply any previously paid issue fee to the application identified above." Petitioner is advised that, whether a fee is indicated as being due or not, the Issue Fee Transmittal Form **must** be completed and timely submitted to avoid abandonment. Note the language in bold text on the first page of the Notice of Allowance and Fee(s) Due (PTOL-85).



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Confirmation No. 7213

Allowed: November 8, 2005

John KENTEN, et al

Atty. Ref.: 2757-5

Serial No. 09/880,149

Patent No.

Filed: June 14, 2001

Issued:

For: CONTROLLING PROTEIN LEVELS IN EUCARYOTIC
ORGANISMS

* * * * *

February 1, 2006

Mail Stop Issue Fee
Commissioner for Patents
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Alexandria, VA 22313-1450

Sir:

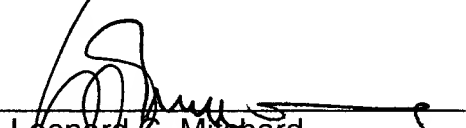
NOTIFICATION OF WITHDRAWAL OF SMALL ENTITY STATUS

Notification is hereby given that small entity status is no longer being claimed in this case. Please update the Patent Office records accordingly and please accept large entity fees remitted hereafter.

Respectfully submitted,

NIXON & VANDERHYTE P.C.

By: _____


Leonard C. Mitchard
Reg. No. 29,009

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